

EXHIBIT B

e. **Richard “Ricky” Coleman**

LMSD identified African American Ricky Coleman as a student with a specific learning disability (“SLD”) with a secondary exceptionality of speech or language impairment when he was only in First Grade in 2005. SOF ¶¶ 264-265. However, now LMSD admits that Ricky’s test results from the 2005 evaluation did not contain a 15 point discrepancy between his ability level and his performance level in reading, numerical operations, mathematics, or spelling. SOF ¶¶ 278-280.

In first grade, Ricky (then six years old) was kicked and beaten by five Caucasian Fifth Graders (11 year olds) in the school bathroom. SOF ¶ 269. LMSD never disciplined any of the Caucasian children for their assault on Ricky. *Id.* In addition, Ricky’s mother visited his “integrated” classroom regularly and noted that Ricky was often the target of abusive treatment from the Caucasian teacher and children in the class. SOF ¶ 270. Ms. Coleman’s observations were supported by the report of a Ken-Crest consultant noting that the teacher’s racist treatment of African American students in the “integrated” classroom was demoralizing and degrading. SOF ¶¶ 271-272. Ms. Coleman inquired as to LMSD’s response to the teacher’s bigoted treatment of African American students and was told that the teacher received “sensitivity training” over the summer, but nothing else. SOF ¶ 273.

Ms. Coleman also experienced, first hand, additional discrimination against her son at the hands of LMSD. SOF ¶ 275. She noted that: (1) Ricky was forced to sit in an isolated, assigned seat on the school bus for an entire year after scratching a girl, while a Caucasian girl in a separate incident hit someone and broke their arm, yet was not assigned a separate seat; (2) Ricky witnessed a Caucasian initiate a fight with an African American student: the African American student was suspended for three days while the Caucasian student was allowed to return to school the next day; (3) one of Ricky’s teachers told him that he could not go to Penn State.” *Id.*